MONTANA LEGISLATIVE HISTORY

Chapter 489 1983

Bill H 492 S _____ Original bill & history ✓ C

H. Committee on Natural Resources		S. Committee on Natural Resources	
Hearing Date(s) Feb 04	✓ C	Hearing Date(s) Mar 14	✓ C
Feb 09	✓ C	_____	___ C
_____	___ C	_____	___ C
_____	___ C	_____	___ C
Date Out _____	___ C		

Did this bill originate in an interim committee? ___ Yes ___ No

Committee _____ Report _____

HOUSE BILL NO. 472

INTRODUCED BY D. BROWN, ELLISON,
HALLIGAN, FABREGA, IVERSON, SWITZER

BY REQUEST OF THE HARD-ROCK MINING SUBCOMMITTEE

IN THE HOUSE

January 24, 1983	Introduced and referred to House Select Committee on Economic Development.
January 25, 1983	Rereferred to Committee on Natural Resources.
February 11, 1983	Committee recommend bill do pass as amended. Report adopted.
February 12, 1983	Bill printed and placed on members' desks.
February 14, 1983	On motion, pass consideration until the 39th Legislative Day.
February 16, 1983	Second reading, do pass.
February 19, 1983	Considered correctly engrossed.
February 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Natural Resources.
March 15, 1983	Committee recommend bill be concurred in. Report adopted.

March 17, 1983	Statement of Intent attached.
	Second reading, concurred in.
March 19, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 19, 1983	Returned to House with Statement of Intent.
March 31, 1983	Second reading, Statement of Intent concurred in.
April 1, 1983	Third reading, Statement of Intent concurred in.
	Sent to enrolling.
	Reported correctly enrolled.

HOUSE BILL NO. 472

INTRODUCED BY Dave Brown, Ellison, Halligan, Lacey, Iverson, Switzer

BY REQUEST OF THE HARD-ROCK MINING SUBCOMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE HARD-ROCK MINING IMPACT LAWS; AMENDING SECTIONS 82-4-335, 90-6-305, 90-6-307, AND 90-6-309, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 82-4-335, MCA, is amended to read:

"82-4-335. Operating permit. (1) No person shall engage in mining or disturb land in anticipation of mining in the state without first obtaining an operating permit from the board to do so. A separate operating permit shall be required for each mine complex. Prior to receiving an operating permit from the board, any person must pay the basic permit fee of $25 and must submit an application on a form provided by the board, which shall contain the following information and any other pertinent data required by the rules:

(a) name and address of the operator and, if a corporation or other business entity, the name and address of its principal officers, partners, and the like and its resident agent for service of process, if required by law;

(b) minerals expected to be mined;

(c) a proposed reclamation plan;

(d) expected starting date of mining;

(e) a map showing the specific area to be mined and the boundaries of the land which will be disturbed, topographic detail, the location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area, location of proposed access roads to be built and the names and addresses of the surface and mineral owners of all lands within the mining area, to the extent known to applicant;

(f) types of access roads to be built and manner of reclamation of road sites on abandonment; and

(g) a plan of mining which will provide, within limits of normal operating procedures of the industry, for completion of mining and associated land disturbances.

(2) Except as provided in subsection (3), the permit provided for in subsection (1) for a large-scale mineral development as defined in 90-6-302 shall be conditioned to provide that ~~mining~~ activities under the permit may not commence until the hard-rock mining impact board approves the impact plan under 90-6-307 and until the permittee has provided a written guarantee to the department and to the hard-rock mining impact board of compliance within the time schedule with the commitment made in the impact plan approved by the hard-rock mining impact board, as provided

in 90-6-307. If the permittee does not comply with that commitment within the time scheduled, the board, upon receipt of written notice from the hard-rock mining impact board, shall suspend the permit until it receives written notice from the hard-rock mining impact board that the permittee is in compliance.

(3) Compliance with 90-6-307 is not required for exploration and bulk sampling for metallurgical testing when the aggregate samples are less than 10,000 tons."

Section 2. Section 90-6-305, MCA, is amended to read:

"90-6-305. Hard-rock mining impact board -- general powers. (1) The board may:

(a) retain professional staff, consultants, and advisors notwithstanding the provisions of 2-15-121;

(b) adopt rules governing its proceedings and administration of this part;

(c) award grants to local government units subject to 90-6-306;

(d) make payments to local government units from money paid to the hard-rock mining impact account as provided in 90-6-307;

(e) make determinations as provided in 90-6-307; and

(f) accept grants and other funds to be used in carrying out this part.

(2) The provisions of the Montana Administrative

Procedure Act apply to the proceedings and determinations of the board."

Section 3. Section 90-6-307, MCA, is amended to read:

"90-6-307. Impact plan to be submitted. (1) When After an application for a permit for a large-scale mineral development is made under 82-4-335 ~~and the permit is for a large-scale mineral development~~, the person seeking the permit shall submit to the affected counties and the board an impact plan describing the economic impact the large-scale mineral development will have on local government units and shall file proof of such submission to the counties with the board. Whenever an environmental impact statement on the permit application is prepared under 75-1-201, the lead agency shall cooperate to the fullest extent practicable with the affected local government units to eliminate duplication of effort in data collection. The governing bodies of the affected counties shall publish notice of the submission of an impact plan at least once in a newspaper of general circulation in the county. The impact plan shall include:

(a) a timetable for development, including the opening date of the development and the estimated closing date;

(b) the estimated number of persons coming into the impacted area as a result of the development;

(c) the increased capital and operating cost to local

government units for providing services, including but not limited to police and fire protection, sewage, water treatment, schools, road construction and upkeep, education, and medical care, which can be expected as a result of the development;

(d) the financial or other assistance the developer will give to local government units to meet the increased need for services.

(2) In the impact plan, the developer shall commit itself to pay all of the increased capital and net operating cost to local government units that will be a result of the development, either from tax prepayments, as provided in 90-6-309, special industrial educational impact bonds, as provided in 90-6-310, or other funds obtained from the developer and shall provide a time schedule within which it will do so.

(3) Upon request of the governing body of an affected county, the mineral developer shall provide financial or other assistance as necessary to prepare and evaluate the impact plan. To receive this assistance, the affected county must contract with the developer and provide for any disbursements to be credited against future tax liabilities.

~~(3)~~(4) An affected local government unit shall, within 90 days after receipt of the impact plan from the developer, notify the board in writing if that local government unit

objects to the impact plan, specifying the reasons why the impact plan is objected to. During the 90-day period, an affected local governmental unit may petition for one 30-day extension by submitting a written request to the board stating the need and justification for the extension. The board shall grant the extension unless it finds there is no reasonable basis for the request. If no objection is received within the 90-day period or any extension thereof, the impact plan shall be approved by the board.

~~(4)~~(5) If objections are received from a local government unit, the board shall, within 10 days, ~~promptly~~ notify the developer and forward a copy of the local government unit's objections to the developer. If within 30 days the local government unit and the developer cannot resolve the objection, the board shall conduct a hearing on the validity of the objections which shall be held in the affected county or, if objections are received from local government units in more than one county, shall be held in the county which, in the board's judgment, is more greatly affected. The provisions of the Montana Administrative Procedure Act shall apply to the conduct of the hearing. The impact plan filed by the developer shall carry no presumption of correctness at the hearing.

~~(5)~~(6) Following the hearing, the board shall, within 60 days, make findings as to those portions of the impact

plan which were objected to and, if appropriate, amend the impact plan accordingly. The findings and impact plan, as amended, shall be served by the board upon all parties. Any local government unit or the developer, if aggrieved by the decision of the board, is entitled to judicial review, as provided by Title 2, chapter 4, part 7, in the district court in and for the judicial district in which the hearing was held.

~~(6)~~(7) The developer shall, within 30 days of receipt of the approved impact plan, provide the board with a written guaranty that the developer will make all the payments to the board required in the approved impact plan and according to the time schedule contained in the approved impact plan.

~~(7)~~(8) The board shall deposit all payments received from the developer into the hard-rock mining impact account established by 90-6-304.

~~(8)~~(9) The board shall notify the department of state lands of its receipt of the written guaranty of payment, of each required payment, and of any failure of the developer to comply with this section.

~~(9)~~(10) Upon receipt of evidence that an affected local government unit identified in the approved impact plan is providing or is preparing to provide an additional service or facility provided for in the approved impact plan, the

board shall pay to that local government unit in one sum or in parts the money from the hard-rock mining impact fund identified in the plan as the increased cost to the local government unit of providing that public service or facility.

~~(10)~~(11) If it is determined that an objection filed by an affected local government unit under subsection (3) is valid and it results in some remedial order by the board or court of competent jurisdiction, the local government unit shall be awarded and the developer shall pay reasonable costs and attorney fees associated with any administrative or judicial appeals filed under this section. Any attorney fees and costs awarded shall be in addition to any amounts paid by the developer under this part."

Section 4. Section 90-6-309, MCA, is amended to read:

"90-6-309. Tax prepayment -- large-scale mineral development. (1) After permission to commence operation is granted by the appropriate governmental agency, and upon request of the ~~board of county commissioners~~ governing body of a county in which a facility is to be located, a person intending to construct or locate a large-scale mineral development in this state shall prepay property taxes in an amount equal to at least three times the estimated property tax due the year the large-scale mineral development facility commences operation. This prepayment shall exclude

the 6-mill university levy and may exclude the mandatory county levy for the school foundation program of 40 mills.

(2) The person who is to prepay under this section shall not be obligated to prepay the entire amount established in subsection (1) at one time. Upon request of the governing body of an affected local government unit, the person shall prepay the amount shown to be needed from time to time as determined by the board.

(3) The person who is to prepay shall guarantee to the hard-rock mining impact board, ~~with---appropriate---bank guaranties~~ through an appropriate financial institution, as may be required by the board, that property tax prepayments will be paid as needed for expenditures created by the impacts of the large-scale mineral development.

(4) When the mineral development facilities are completed and assessed by the department of revenue, they shall be subject during the first 3 years and thereafter to taxation as all other property similarly situated, except that in each year after the start of production, the local government unit that received a property tax prepayment shall provide for repayment of prepaid property taxes in accordance with subsection (5).

(5) A local government unit that received all or a portion of the property tax prepayment under this section shall provide for repayment according to the following

procedure:

(a) In each year after the commencement of mining, the local government shall:

(i) divide its budget by the average mill levy of its jurisdiction during the 3 years immediately preceding commencement of mining operations, to arrive at a taxable valuation needed to fund its budget using the average 3-year mill levy;

(ii) reduce the taxable valuation of property of a person who prepaid property taxes by the excess, if any, of the total taxable value of the taxing jurisdiction including the person's property over the taxable value determined under subsection (5)(a)(i), but in no case by an amount greater than the taxable value of the person's property.

(b) The reduction in taxable value, if any, determined under subsection (5)(a)(ii) times the average mill levy used in subsection (5)(a)(i) equals the property tax prepayment credit allowed for the taxable year for that local government unit. Any local government unit not receiving a payment shall not be affected by this section and no reduction in value shall be used in the computation of taxes due that unit of local government. In no event shall the credit allowed under this part extend more than 10 years beyond the date the prepayment is made under this section.

(c) The procedure established under subsection (5)(a)

shall continue from year to year until the total credit allowed the person who prepaid property taxes equals the total property taxes prepaid."

NEW SECTION. Section 5. Impact plan amendments. (1) If it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment or substantial changes in circumstances, then either the mineral developer or the governing body of an affected county may petition the board for an amendment to the plan. Within 10 days of receipt the board shall publish notice of the petition at least once in a newspaper of general circulation in the affected county. The petition must include:

(a) an explanation of the need for an amendment;

(b) a statement of the facts and circumstances underlying the need for an amendment; and

(c) a description of the corrective measures proposed by the petitioner.

(2) Within 60 days after notice that the petition has been received, an affected local government unit or the mineral developer must notify the board in writing if such person objects to the amendments proposed by the petitioner, specifying the reasons why the impact plan should not be amended as proposed. If no objection is received within the 60-day period, the impact plan must be amended by the board

as proposed by the petitioner.

(3) If an objection is received, within 10 days of its receipt, the board shall notify the petitioner and include a copy of all objections received by the board. If the objecting party and the petitioner cannot resolve the objections within 30 days after the expiration of the 60-day period, the board shall conduct a hearing on the validity of the objections within 30 days after the failure of the parties to resolve the objections. The hearing must be held in the affected county or, if objections are received from local government units in more than one county, must be held in the county which in the board's judgment is more greatly affected. The provisions of the Montana Administrative Procedure Act apply to the conduct of the hearing.

(4) Following the hearing, the board shall make findings as to those portions of the amendments which were objected to and, if appropriate, amend the impact plan accordingly. The board shall cause the findings and impact plan, as amended, to be served on all parties. Any local government unit or the developer is entitled to judicial review, as provided by Title 2, chapter 4, part 7, in the district court for the judicial district in which the hearing was held.

NEW SECTION. Section 6. Codification instruction. Section 5 is intended to be codified as an integral part of

Title 90, chapter 6, and the provisions of Title 90, chapter 6, apply to section 5.

-End-

STATE OF MONTANA

REQUEST NO. 242-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 472 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 472 generally revises hard-rock mining impact laws.

ASSUMPTIONS:

1) For this biennium, the proposed budget for the Hard Rock Board should be adequate to absorb the increased workload. If future bienniums, an increase in costs might occur.

FISCAL IMPACT:

Minimal this biennium.

LOCAL GOVERNMENT IMPACT:

Should enable local governments to obtain adequate impact funding if actual impact costs significantly exceed those projected. Impossible to estimate dollar amounts; cost will be incurred by mineral developer not by state (except for board operatings expenses).

FISCAL NOTE 9:F/1

David M Lewis

BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 1-31-83

REPORT: 02/11/83, DO PASS, AS AMENDED
2ND READING: 02/14/83, DO NOT PASS AYES: 87; NAYS: 3
BILL KILLED

HB 469 -- STOBIE, RYAN, UNDERDAL, ET AL. -- LIMITING THE SALARY OR WAGE OF AN EMPLOYEE OF A COUNTY DEPARTMENT OF PUBLIC WELFARE TO THE SALARY PAID TO THE COUNTY CLERK AND RECORDER; AMENDING

INTRODUCED: 01/24/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/24/83
HEARING: 2/12/83
REPORT: 02/14/83, DO NOT PASS
BILL KILLED: 02/15/83

HB 470 -- KOEHNKE, HAND, HEMSTAD, ET AL. -- TO EXEMPT RESIDENCES OF CERTAIN PERSONS FROM PROPERTY SUBJECT TO TAXATION; PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

INTRODUCED: 01/24/83
REFERRED TO COMMITTEE ON TAXATION: 01/24/83
HEARING: 2/2/83
DIED IN COMMITTEE

HB 471 -- ADDY, TOWE, REAM, ET AL. -- ESTABLISHING THE POSITION OF REFEREE IN CERTAIN JUDICIAL DISTRICTS; PROVIDING FOR THE APPOINTMENT, QUALIFICATIONS, TERM, AND SALARY OF A REFEREE; PROHIBITING A REFEREE FROM MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM; DEFINING THE PROCEDURE FOR ASSIGNING CASES TO A REFEREE AND THE TYPES OF CASES THAT MAY BE ASSIGNED; PERMITTING LITIGANTS IN CONTESTED CASES TO REQUEST A REVIEW HEARING ON A REFEREE'S RECOMMENDATIONS; REQUIRING A DISTRICT COURT JUDGE TO REVIEW ALL RECOMMENDATIONS OF A REFEREE; AND PROVIDING AN EFFECTIVE DATE.

INTRODUCED: 01/24/83
REFERRED TO COMMITTEE ON JUDICIARY: 01/24/83
HEARING: 1/31/83
REPORT: 02/10/83, DO PASS, AS AMENDED
REREFERRED TO COMMITTEE ON APPROPRIATIONS: 02/12/83
HEARING: 3/24/83
REPORT: 03/28/83, DO NOT PASS
BILL KILLED: 03/29/83

HB 472 -- D. BROWN, ELLISON, HALLIGAN, ET AL. -- TO GENERALLY REVISE HARD-ROCK MINING IMPACT LAWS; AMENDING....
BY REQUEST OF: THE HARD-ROCK MINING SUBCOMMITTEE

INTRODUCED: 01/24/83
REFERRED TO SELECT COMMITTEE ON ECONOMIC DEVELOPMENT: 01/24/83
REREFERRED TO COMMITTEE ON NATURAL RESOURCES: 01/25/83
HEARING: 2/4/83
REPORT: 02/11/83, DO PASS, AS AMENDED
2ND READING: 02/16/83, DO PASS AYES: 96; NAYS: 0
3RD READING: 02/21/83, DO PASS AYES: 100; NAYS: 0

TRANSMITTED TO SENATE: 2/21/83
REFERRED TO COMMITTEE ON NATURAL RESOURCES: 3/1/83
HEARING: 3/14/83
REPORT: 3/15/83, BE CONCURRED IN, AS AMENDED
2ND READING: 03/17/83 AYES: 48; NAYS: 0

3RD READING: 03/19/83 AYES: 49; NAYS: 0

RETURNED TO HOUSE WITH STATEMENT OF INTENT: 3/19/83
2ND READING: 03/31/83, BE ADOPTED AYES: 87; NAYS: 0
3RD READING: 04/01/83, BE ADOPTED AYES: 83; NAYS: 2

TRANSMITTED TO GOVERNOR: 04/12/83
SIGNED: 04/14/83, CHAPTER 489

HB 473 -- IVERSON, KEYSER, SCHULTZ, ET AL. -- DESIGNATING THE DUCK-BILLED DINOSAUR MAIASAURA PEEBLESORUM AS THE OFFICIAL STATE FOSSIL.

INTRODUCED: 01/24/83
REFERRED TO COMMITTEE ON FISH & GAME: 01/24/83
HEARING: 2/3/83
DIED IN COMMITTEE

HB 474 -- NORDTVEDT, SALES, ELLERD -- TO OBLIGATE AS DISTRICT RETIREMENT FUND EQUALIZATION A PORTION OF THE REVENUE FROM THE BASIC COUNTY TAXES FOR ELEMENTARY AND HIGH SCHOOL EQUALIZATION PURPOSES; TO PROVIDE THAT THE RETIREMENT FUND EQUALIZATION APPORTIONMENT FOR EACH DISTRICT IS BASED ON 7 PERCENT OF THE FOUNDATION PROGRAM AMOUNT FOR THE DISTRICT; AMENDING

INTRODUCED: 01/24/83
REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES: 01/24/83
HEARING: 1/31/83
REPORT: 01/31/83, DO NOT PASS
BILL KILLED: 02/02/83

HB 475 -- MUELLER, FABREGA, BERTELSEN, ET AL. -- TO INCREASE THE INCOME LIMITATION QUALIFICATIONS FOR CLASS FOUR PROPERTY TAX RELIEF FOR CERTAIN WIDOWS, WIDOWERS, DISABLED PERSONS, AND ELDERLY PERSONS; TO PROVIDE FOR REIMBURSEMENT TO LOCAL GOVERNMENTS FROM THE STATE GENERAL FUND FOR PROPERTY TAX LOSSES; AMENDING ....

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON TAXATION: 01/25/83
HEARING: 2/4/83
DIED IN COMMITTEE

HB 476 -- PAVLOVICH, QUILICI, MENAHAN, ET AL. -- TO RAISE THE DAILY RATE TO BE PAID BY THE STATE TO THE COUNTY FOR PERSONS PLACED IN A COUNTY JAIL BY THE HIGHWAY PATROL; AMENDING....

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/25/83
HEARING: 2/12/83
REPORT: 02/14/83, DO PASS
REREFERRED TO COMMITTEE ON APPROPRIATIONS: 02/15/83
HEARING: 3/21/83
REPORT: 03/28/83, DO NOT PASS
BILL KILLED: 03/29/83

HB 477 -- WALDRON -- AMENDING COUNTY AND MUNICIPAL BUDGET LAWS TO ALLOW THE TRANSFER OF APPROPRIATIONS WITHIN FUNDS; DELETING THE RESTRICTIONS ON THE TRANSFER OF APPROPRIATIONS BETWEEN AND AMONG EXPENDITURE CLASSES; AMENDING....

INTRODUCED: 01/25/83

Chairman Harper closed the hearing on this bill and opened the meeting to the hearing on HB 472.

HOUSE BILL 472

REPRESENTATIVE DAVE BROWN, District 83, chief sponsor, said the bill is at the request of the Hard-Rock Mining Subcommittee. He said it is to a large part a housekeeping bill. Rep. Brown went through the bill. He said more complete information is found in the green book, Report to the 48th Montana Legislature on the Socio-Economic Impacts of Large-Scale Hard-Rock Mining, January 1983, prepared by the Montana Environmental Quality Council. He said the primary change is the ability to amend an impact plan and page 68 of the green book deals with this issue.

LES DARLING, Stillwater PGM Resources, spoke in support. He said he had been involved in many meetings held by Rep. Brown's subcommittee. A copy of his testimony is Exhibit 17.

GARY LANGLEY, Montana Mining Association, said they support the statement given by Mr. Darling.

JIM RICHARD, Stillwater PGM Resources and Stillwater and Sweet Grass Planners, spoke in support. He had suggested amendments and a copy of these is Exhibit 18 and 18a.

Carol Ferguson, Hard-Rock Board, spoke in support. She said she would like to express appreciation to the subcommittee for the work they did and urge support of this bill.

ANDREW EPPLE, Sweet Grass County Commissioners, spoke in support and a copy of his testimony sheet is Exhibit 19.

DON REED, Montana Environmental Information Center, said they generally support the bill. He said he hoped Mr. Richard and Mr. Darling can agree on a way to get money for an analysis of the plan. A little bit of money on the front end is needed. He said with the amendments to the impact plan he thinks they can support it. He said they do have a couple of questions. One is a concern that if you limit the period for amending a plan to two years, that that might not be flexible enough. He said he hopes this does not limit the cooperation. He hoped that changes would be made beyond the two year period if it is agreed they are necessary.

There were no opponents.

REPRESENTATIVE BROWN closed. He said he hadn't had a chance to check through the suggested amendments carefully yet. He said he doesn't see any problems as yet. He urged support of

Questions were asked by the committee.

Rep. Hand asked if a subcommittee were indicated to work out the suggested amendments. Rep. Brown said he didn't think so. He felt they would be able to come to a resolved position to present to the committee for a vote.

Rep. Addy asked Mr. Darling if none of his amendments were accepted if he would still be for the bill. Mr. Darling said he would need to review that possibility.

Mr. John Carter, Researcher, said there is an error as a result of drafting on page 5, line 19, following "prepare" strike "for."

Chairman Harper closed the hearing on this bill.

Meeting adjourned at 2:45 p.m.

Respectfully submitted,

HAL HARPER, CHAIRMAN

Emelia A. Satre, Sec.

MILES KEOGH, Stillwater Protective Assoc., left a witness statement supporting HB 472, Exhibit 20.

Exhibit 19

NAME Les Darling, Ward Shanahan BILL NO. HB-472

ADDRESS P. O. Box 1715, Helena, Mt. 59624 DATE 2-4-83

WHOM DO YOU REPRESENT Stillwater PGM Resources

SUPPORT _____ OPPOSE _____ AMEND XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Stillwater PGM Resources, a partnership of Manville Sales Corporation and Chevron USA, Inc., has been studying the feasibility of developing an underground platinum and palladium mining facility in the Stillwater Complex in South-Central Montana for several years. We are cautiously optimistic that we can develop a commercial mine by the mid-to-late 1980's.

We have recognized the need to mitigate "front end" impacts on governmental facilities and services created by new developments in rural areas. With this in mind, we supported the Hard Rock Impact Act (HB-718) from its inception and continue to do so. The bill you have before you today is the product of an extensive review of the Hard Rock Impact Act by the EQC Subcommittee on Hard Rock Mining. We participated in the Subcommittee review of the Act and agree with most of the suggested changes contained in HB-472. We would ask this Committee, as we asked the EQC Subcommittee,: please allow the Hard Rock Impact Act an opportunity to work before any other major modifications are considered. The basic concept of the Act which allows plans to mitigate front end impacts to be developed and implemented at the local governmental level is sound and should not be tampered with.

The only change to the Impact Act proposed by HB-472 which we oppose is the provision of New Section 5, page 11, of the Introduced Bill. Although we understand local governments concern for the need to allow an Impact Plan to be modified over the 20 to 30 years of the mining facilities life, we are opposed to the current language in HB-472 which virtually leaves the Impact Plan open to amendment at any time, for virtually any reason. This "open season" on the mineral developer over the life of an operation is an unacceptable risk.

With this problem in mind, we met with representatives of Sweet Grass and Stillwater Counties and developed compromise language for New Section 5 of HB-472 as shown in the attachment to this statement. The compromise language allows adaquate protection to local governments by allowing Impact Plan amendments, yet limits the "open season" on amendments

to 2 years after the beginning of commercial operations. Thereafter impact plan amendments are allowed when the mining operation changes, when they are agreed to in the original plan, or if the affected county and developer agree to amend the plan.

We urge your favorable consideration of the compromise language for Section 5 and your support for HB-472 as amended.

VISITOR'S REGISTER

HOUSE NATURAL RESOURCES COMMITTEE

BILL HB 472 DATE 2/4/83

SPONSOR D. BROWN

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Jerri Richard	E. Hel.	Stillwater Co	X	
Les Darling	Big Timber	Stillwater PGM Res	X	
John Beaudry	Columbus	Stillwater Co.	X	
Andrew Epple	Box 1052 Bt 59011	Big Timber/Sweet Grass	✓	
Don Reed	Helena	MEIC	✓	
Joan Montagne	Bozeman	Mont Wild Assoc	✓	
Gary Langley	Helena	Mont Mining Assn	✓	
Dave Brown	Butte	Sponsor	✓	
Carol Jorgenson	Glacier Helena	Hard Rock Bd.	✓	

VISITOR'S REGISTER

HOUSE _____ COMMITTEE

BILL 472 DATE 2-4-83

SPONSOR _____

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Donna Adams	Columbus			

Exhibit #2
17

NAME Jim Richards, Andrew Epple, Ward Shanahan, and Les Darling BILL NO. HB 472

ADDRESS P.O. Box 1715, Helena, MT 59624 DATE 013183

WHOM DO YOU REPRESENT Stillwater PGM Resources and Stillwater and Sweet Grass Planners

SUPPORT _____ OPPOSE _____ AMEND XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Amend New Section 5, page 11, of the introduced bill as follows:

1. Delete all language on page 11, lines 4 through 25, and page 12, lines 1 through 23, and insert in lieu thereof the following:

"NEW SECTION. Section 5. Impact plan amendments. (1) The impact plan may provide for amendment under definite conditions or the governing body of an affected county or the mineral developer may petition the board for an amendment to an approved impact plan if:

(a) employment at the large-scale mineral development is forecast to increase or decrease by at least 100 people over or under the employment levels contemplated by the approved impact plan; or

(b) changes in the large-scale mineral development cause, or can be expected to cause, an increase in estimated population of at least 15% in a local government unit when measured against the average population of the local government unit in the 3-year period preceding the

commencement of new construction or new operations of the mining facility; or

(c) it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment and 2 years have not elapsed since the date the facility begins commercial production; or

(d) the governing body of an affected county and the mineral developer join in a petition to amend the impact plan.

(2) Within 10 days of receipt, the board shall publish notice of the petition at least once in a newspaper of general circulation in the affected county. The petition must include:

(a) an explanation of the need for an amendment;

(b) a statement of the facts and circumstances underlying the need for an amendment; and

(c) a description of the corrective measures proposed by the petitioner.

(3) Within 60 days after notice that the petition has been received, an affected local government unit or the mineral developer must notify the board in writing if such person objects to the amendments proposed by petitioner specifying the reasons why the impact plan should not be amended as proposed. If no objection is received within the 60-day period, the impact plan must be amended by the board as proposed by the petitioner.

(4) If an objection is received, within 10 days of its receipt, the board shall notify the petitioner and include a copy of all objections received by the board. If the objecting party and the petitioner cannot resolve the objections within 30 days after the expiration of the 60-day period, the board shall conduct a hearing on the validity of the objections within 30 days after the failure of the parties to resolve the objections. The hearing must be held in the affected county or, if objections are received from local government units in more than one county, must be held in the county which, in the board's judgment, is more greatly affected. The provisions of the Montana Administrative Procedure Act apply to the conduct of the hearing.

(5) Following the hearing, the board shall make findings as to those portions of the amendments which were objected to and, if appropriate, amend the impact plan accordingly. The board shall cause the findings and impact plan, as amended, to be served on all parties. Any local government unit or the developer is entitled to judicial review as provided by Title 2, chapter 4, part 7, in the district court for the judicial district in which the hearing was held."

Exhibit 18

Jim Richards

Stillwater County Proposed amendments to hb 472

page5,lines 17 through 22: "(3) Upon request of the governing body of an affected ~~county~~ UNIT OF LOCAL GOVERNMENT, the mineral developer shall provide financial or other assistance as necessary to prepare FOR and evaluate the impact plan. To receive this assistance, the affected ~~county~~ UNIT OF LOCAL GOVERNMENT, must contract with the developer[.]and provide for Any disbursements UNDER THIS SUBSECTION shall be credited against future tax liabilities,IF ANY.

Ex. 18a

EXPLANATION OF PROPOSED AMENDMENT TO HB 472

This amendment would have the following effects:

1. All affected units of local governments, including municipalities and school districts, would be authorized to request assistance from the mineral developer. (These units of local governments, basically autonomous from counties, deserve the opportunity to seek financial assistance from the mineral developer to evaluate the impact plan).

2. Any contracts for assistance would be executed before the 90 day review period begins; thus, the short review period would not be furthered shortened by contract negotiations.

3. The developer would negotiate with each affected unit of local government, but would need to contract only with the county, not all units of local government. The county would receive the financial assistance and transfer the appropriate monies to each local government. This process encourages the units of local government within a county to cooperate in evaluating an impact plan, but if cooperation is not feasible for any reason assistance to all affected jurisdictions still could be provided.

4. Where a unit of local government will receive tax benefits from the mineral development the financial assistance received for plan evaluation will be credited against future tax liabilities of the developer. Where a local government will not receive tax benefits from the mineral developer, the jurisdiction still is eligible to request and receive assistance from the developer.

Exhibit 9

NAME: Andrew C. Epple DATE: 2/4/83

ADDRESS: Box 1052 Big Timber, MT 59011

PHONE: 932-2217

REPRESENTING WHOM? Sweet Grass County Commissioners

APPEARING ON WHICH PROPOSAL: HB 472

DO YOU: SUPPORT? ✓ AMEND? ✓ OPPOSE? _____

COMMENTS: 1. Adopt proposed amendments submitted by Stillwater County dealing with local govt's ability to contract with the developer for review of the Impact Plan. These amendments clarify what the purpose of the contract would be, and recognize the autonomy school districts, municipalities, and counties.

2. Adopt the proposed amendments submitted on behalf of Sweet Grass Co., Stillwater Co., and Stillwater P&M Resources, with the understanding that any one of the five amendment triggering mechanisms can be the basis for reviewing an impact plan.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Exhibit 20

WITNESS STATEMENT

Name Miles Keogh Committee On Nat Res.

Address Nye MT. Date Feb-4-83

Representing Stillwater Protective Assoc. Support X

Bill No. HB 472 Oppose

Amend

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Support HB Bill 472 and Also Support Amendments Proposed by Stillwater Co. Commissioners
2. I would Like to ~~Remind~~ the committee that HB 472 if passed will not amend the
3. Hard Rock mining Impact legislation to the point where all impacts are mitigated. tail end or Shut down impacts are still not addressed.
4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

STANDING COMMITTEE REPORT

February 10, 19 83

MR. SPEAKER:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 472

First reading copy (white color)

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE HARD-ROCK MINING IMPACT LAWS; AMENDING SECTIONS 82-4-335, 90-6-305, 90-6-307, AND 90-6-309, MCA."

Respectfully report as follows: That HOUSE Bill No. 472

be amended as follows:

1. Page 5, line 18.
Strike: "county"
Insert: "unit of local government"
Following: "developer"
Insert: ", prior to commencement of the 90-day review period,"

2. Page 5, line 19.
Following: "prepare"
Insert: "for"

3. Page 5, line 20.
Strike: "To receive this assistance, the"
Insert: "The governing body of the"

4. Page 5, line 21.
Strike: "and provide for any"
Insert: "to obtain the requested financial assistance for each unit of local government within the county. Any"

DO PASS

Chairman.

STATE PUB. CO.
Helena, Mont.

5. Page 5, line 22.
Following: "disbursements to"
Insert: "a unit of local government under this subsection shall"
Following: "liabilities"
Insert: ", if any"

6. Page 11, lines 5 through 9.
Strike: these lines in their entirety
Insert: "The impact plan may provide for amendment under definite conditions. Also, the governing body of an affected county or the mineral developer may petition the board for an amendment to an approved impact plan if:

(a) employment at the large-scale mineral development is forecast to increase or decrease by at least 100 people over or under the employment levels contemplated by the approved impact plan; or

(b) changes in the large-scale mineral development cause, or can be expected to cause, an increase in estimated population of at least 15 percent in a local government unit when measured against the average population of the local government unit in the 3-year period preceding the commencement of new construction or new operations of the mining facility; or

(c) it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment and 2 years have not elapsed since the date the facility begins commercial production; or

(d) the governing body of an affected county and the mineral developer join in a petition to amend the impact plan.

(2)"
Renumber: subsequent subsections

AND AS AMENDED
DO PASS

HAL HARPER
Chairman.

Rep. Curtiss said on page 2, line 15 -+ Some of the language which deals with this disposal of offered pieces of land gives local governments the highest option to buy and she didn't think this language to highest bidder is applicable in every instance. She said the first criteria should be that local government should have the first chance to buy.

Rep. Fagg suggested replacing "could" with "would."

Rep. Metcalf moved that amendment on page 2, line 15 and on page 2, line 16. This motion was adopted unanimously by all present (Rep. Quilici absent).

Rep. Addy asked if on page 3, line 4, there should be some maximum acreage that could be prioritized. He said he would throw out the figure of 20,000 acres to see what the committee though. Rep. Mueller said he would resist that amendment as all this is is a resolution to Congress and he didn't feel putting an acreage limitation on was a good idea.

The question was called and the motion of AND AS AMENDED DO PASS carried with Rep. Addy voting no and absent was Rep. Quilici.

HOUSE BILL 472 Rep. Brown moved to amend on page 11, lines 4-18 by striking this langauge and inserting the language from Mr. Shanahan's amendment (Exhibit 3) through sub (3). Rep. Brown said this language had been worked out between the parties. It basically says the plan can be amended by the affected counties or the developer if the number of people increase or decrease by 100 over the contemplated employment levels. He read the amendment.

The question was called and this motion carried unanimously with those present (absent was Rep. Quilici).

Rep. Brown moved the amendments proposed by Mr. Richards, Stillwater County (Exhibit 4). This motion carried with Rep. Nordtvedt voting no and absent now were Reps. Asay and Quilici.

Rep. Brown moved DO PASS AS AMENDED. This motion carried with Rep. Nordtvedt voting no and absent was Rep. Quilici. Rep. Asay had left a yes vote.

Meeting adjourned at 1:45 p.m.

Respectfully submitted,

Exhibit 3

NAME Jim Richards, Andrew Epple, Ward Shanahan, and Les Darling BILL NO. HB 472

ADDRESS P.O. Box 1715, Helena, MT 59624 DATE 013183

WHOM DO YOU REPRESENT Stillwater PGM Resources and Stillwater and Sweet Grass Planners

SUPPORT _____ OPPOSE _____ AMEND XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Amend New Section 5, page 11, of the introduced bill as follows:

1. Delete all language on page 11, lines 4 through 25, and page 12, lines 1 through 23, and insert in lieu thereof the following:

"NEW SECTION. Section 5. Impact plan amendments. (1) The impact plan may provide for amendment under definite conditions, ~~or the~~ the governing body of an affected county or the mineral developer may petition the board for an amendment to an approved impact plan if:

(a) employment at the large-scale mineral development is forecast to increase or decrease by at least 100 people over or under the employment levels contemplated by the approved impact plan; or

(b) changes in the large-scale mineral development cause, or can be expected to cause, an increase in estimated population of at least 15% in a local government unit when measured against the average population of the local government unit in the 3-year period preceding the

commencement of new construction or new operations of the mining facility; or

(c) it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment and 2 years have not elapsed since the date the facility begins commercial production; or

(d) the governing body of an affected county and the mineral developer join in a petition to amend the impact plan.

(2) Within 10 days of receipt, the board shall publish notice of the petition at least once in a newspaper of general circulation in the affected county. The petition must include:

(a) an explanation of the need for an amendment;

(b) a statement of the facts and circumstances underlying the need for an amendment; and

(c) a description of the corrective measures proposed by the petitioner.

(3) Within 60 days after notice that the petition has been received, an affected local government unit or the mineral developer must notify the board in writing if such person objects to the amendments proposed by petitioner specifying the reasons why the impact plan should not be amended as proposed. If no objection is received within the 60-day period, the impact plan must be amended by the board as proposed by the petitioner.

(4) If an objection is received, within 10 days of its receipt, the board shall notify the petitioner and include a copy of all objections received by the board. If the objecting party and the petitioner cannot resolve the objections within 30 days after the expiration of the 60-day period, the board shall conduct a hearing on the validity of the objections within 30 days after the failure of the parties to resolve the objections. The hearing must be held in the affected county or, if objections are received from local government units in more than one county, must be held in the county which, in the board's judgment, is more greatly affected. The provisions of the Montana Administrative Procedure Act apply to the conduct of the hearing.

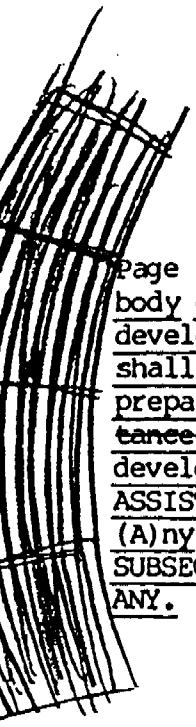
(5) Following the hearing, the board shall make findings as to those portions of the amendments which were objected to and, if appropriate, amend the impact plan accordingly. The board shall cause the findings and impact plan, as amended, to be served on all parties. Any local government unit or the developer is entitled to judicial review as provided by Title 2, chapter 4, part 7, in the district court for the judicial district in which the hearing was held."

Ex. 4

PROPOSED AMENDMENTS TO HB 472

Submitted by
Stillwater and Sweet Grass Counties
and
Stillwater PGM Resources

Page 5,lines 17 through 22: "(3) Upon request of the governing body of an affected ~~county~~ UNIT OF LOCAL GOVERNMENT, the mineral developer(,) PRIOR TO COMMENCEMENT OF THE 90 DAY REVIEW PERIOD(,) shall provide financial or other assistance as necessary to prepare FOR and evaluate the impact plan. ~~To receive this assistance,~~ (T)he affected county COMMISSIONERS must contract with the developer ~~and provide for~~ TO OBTAIN THE REQUESTED FINANCIAL ASSISTANCE FOR EACH UNIT OF LOCAL GOVERNMENT WITHIN THE COUNTY(.) (A)ny disbursements TO A UNIT OF LOCAL GOVERNMENT UNDER THIS SUBSECTION shall be credited against future tax liabilities,IF ANY.



48th LEGISLATIVE SESSION

MINUTES OF
NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 14, 1983

A regularly scheduled meeting of the Senate Natural Resources Committee was called to order at 12:30 p.m. by Senator Harold L. Dover, Chairman, on Monday, March 14, 1983 in Room 405, State Capitol, Helena, MT.

ROLL CALL: Chairman Dover asked the secretary to call the roll, a quorum of members was present.

HOUSE BILL 472: Chairman Dover opened the hearing and asked sponsor Rep. Dave Brown to speak. Representative Brown stated this bill had originated out of the Environmental Quality Council subcommittee. The committee heard HB 260 some time ago and this bill adds to the objectives of the committee to alleviate any problems that might arise. On page 4, lines 6 and 7, language was changed to clarify the law. The bill helps so that projects are not held up with too much paper work, and allows all people to become involved. There were some amendments added in the House, and Rep. Brown explained some of those. There is provision for everything to be routed through the counties, and there is provision for a petition for a 30 day extension of the review. Page 8, lines 14 and 15 clarify when attorney fees can be awarded. The House added ability to amend the impact plan if necessary. The fiscal note says the budget should be adequate.

PROPONENTS: Carol Ferguson, Administrative Officer of the Hard Rock Mining Impact Board spoke to the bill, stating there had been many participants in the forming of the bill through the subcommittee. Those people could not all be present, but she was asked to enter their names as well. Her testimony is attached, Exhibit '1'.

Gary Langley, Executive Director of the Montana Mining Association stated they had participated in the 18 month study and supported the bill.

Don Reed, Montana Environmental Information Center stated this bill has been through a lot of discussion and urged the committee concur.

OPPONENTS: There were no opponents.

Senator Van Valkenburg inquired if the bill would need a statement of intent, Rep. Brown said this was discussed in the House, however the Board already has rule making authority.

HB 472 (cont.)
Senator Dover referred to page 5, lines 18-24 which says the mineral developer shall provide financial assistance as necessary for the development of the impact plan and inquired if this was up front money? Rep. Brown said the theory was that the development should work with the impacted area. In some areas they have been allowed to pay for schools and then take a tax credit for that, such as in Stillwater where there was no way they could come up with the cash. This does give the counties some up front money to pay for services. Rep. Brown stated the bill also helps the developer so they don't have to deal with so many entities, it is to keep the project simple.

Hearing was then closed.

HOUSE BILL 373: Chairman Dover opened hearing, calling on Rep. Bob Marks, Dist. 47. Rep. Marks said this bill is to reestablish the board of water well contractors, which was sunseted. The board will have two water well contractors, a member of the Dept. of Natural Resources, the Bureau of Mines and the Dept. of Health and Environmental Sciences. The board will terminate in 1989, unless further legislative action is taken for extension. This is to protect the public from drillers that are not qualified. A bond will be required with annual renewal. There is also a reciprocity with other states.

PROPONENTS: Bill Morse, Montana Driller's Association, said he has been counsel for the drillers and involved in the regulations for drillers. The water board has been successful previously, and is able to take complaints from the public, which were high in number a few years ago. The board has investigated these complaints, and they are now reduced to only 5-6 complaints per year. Bonds are required of drillers and fees are based on information that comes to the board. There may need to be additional funds for investigations of complaints.

OPPONENTS: There were no opponents.

Senator Van Valkenburg asked what the audit committee had recommended for fees? Rep. Marks stated there had been discussion that the board be put with the Dept. of Natural Resources. They felt this could be done. There are people here from the DNR and the Bureau of Mines if there are any questions of them. Mr. Morse responded that when the DNR had proposed to take over the job they set a budget of $85-$90,000 per year, and the Board Budget has only been $8-$10,000 per year. For doing the same job, the Board can operate for much less under the Dept. of Commerce as it has been.

HB 373 (cont.)
Senator Shaw asked if the Board would have authority to lift a license of an operator that was not performing properly? Mr. Morse stated they could, based on complaints.

Senator Eck said Mr. Moore had mentioned they would like to increase investigations, and asked how that would be carried on? Mr. Wes Lindsey, Chairman of the Water Well Board was present and asked to respond. He stated they have an investigator, which is shared with the Electrical Board. It had been recommended they do their own investigating and this was given to the audit committee with a budget increase request. There was no further discussion.

ACTION ON HOUSE BILL 373: Senator Mohar moved that HB 373 Be Concurred In. Vote was called, all present voted 'aye'. and motion carried.

ACTION ON HOUSE BILL 472: Senator Keating moved that House Bill 472 Be Concurred In. Senator Van Valkenburg said he would like to ask for a statement of intent to be added on second reading as he was not sure this bill does the job as is. Vote was called on the motion, all voted 'aye' and motion carried.

ACTION ON HOUSE BILL 8: Senator Story presented amendments he would propose for the bill. Senator Eck moved that sub-comm. amendments be adopted, 1 through 4, attached as Exhibit '1' and incorporated in the standing committee report. Page 4, line 5, page 7, line 23, page 7, line 24 and page 7, line 25. Vote was called, all voted 'aye' and motion carried. The subcommittee gave prepared amendments, attached as Exhibit '1'. Discussion followed on amendments attached as Exhibit '2'.

Senator Story explained intention of his proposed amendments, that he does not want to be giving away rights of someone and giving them to a person who does not have the right to take them. He is in agreement that if a family line has run out and there are no heirs, then property would be definitely abandoned, and that he would rather see that type go back to the surface owner rather than to the state. His idea is to amend the bill so that a surface owner who has larceny in his heart will not be able to take away from rightful heirs severed mineral interests. The amendments would require that the surface owner prove they had done a thorough search for heirs, and if there are heirs that could have been notified, they can come back and go to court to protect their interest. He also stated he was not in agreement with the 60 day provision, because many people who do not live here would not know all this is going on. The 60 days should be changed to one year. It should be a burden on the surface owner to prove he made a diligent search for the heirs.

ROLL CALL

SENATE NATURAL RESOURCES COMMITTEE

48th LEGISLATIVE SESSION -- 1983 Date 3-14-83

NAME	PRESENT	ABSENT	EXCUSED
ECK, Dorothy (D)	✓		
HALLIGAN, Mike (D)		✓	
KEATING, Thomas F. (R)	✓		
LEE, Gary P. (R)	✓		
MANNING, Dave (D)		✓	
MOHAR, John (D)	✓		
SHAW, James N. (R)	✓		
STORY, Pete (R)			✓
TVEIT, Larry J. (R)	✓		
VAN VALKENBURG, Fred (D)	✓		
ETCHART, Mark (R) Vice Chairman	✓		
DOVER, Harold L. (R) Chairman	✓		

DATE 3-14-83

COMMITTEE ON NATURAL RESOURCES

HB-472

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Check One: Oppose
Dave Brown	Sponsor - District 83	472	X	
Joni Bisbee	Stillwater County	472	X	
Mary Langley	Montana Mining Assn.	472	X	
Carol Ferguson	Hard Rock Mining Impact Bd	472	X	
Don Reed	MEIC	472	✓	

Exh 1
3-14-83
Carol L. Ferguson HB 472

submitted by: Carol L. Ferguson
Administrative Officer
Hard Rock Mining Impact Board

March 14, 1983

TESTIMONY IN SUPPORT OF HB472 AS AMENDED AND TRANSMITTED TO THE SENATE

As many of you know, the process of developing and refining the Hard Rock Mining Impact Act (formerly HB718) has been a long one, involving meetings in many current or potential hard rock mining communities and involving the continuing participation of representatives of both the mining industry and the affected local governments. HB472, as amended and before you at this time, received unanimous support from these groups when it was heard in the House. That support has not diminished, to my knowledge, however, some of the regular participants in the development of this legislation are unable to be here today and have asked me to convey to you their full support of HB472 as amended and provided that HB472 sustains no further amendments: these people include Jim Richard, representing Stillwater County; Ward Shanahan, representing PGM Resources, a consortium proposing a major mineral development in the Stillwater Complex; and Andy Epple, Sweet Grass County planner. The Hard Rock Mining Impact Board has preferred to remain neutral on the substantive issues addressed by the bill, in recognition of their quasi-judicial function but not out of indifference to the quality of the revisions being proposed to the existing act. The Board has, however, expressed their full support of those revisions which would clarify and improve the procedural aspects of former HB718. In summary, HB472 represents a great deal of work by a number of people representing those groups most affected by the Legislation and they ask for your support of HB472 as you have it before you.

STANDING COMMITTEE REPORT

March 14 19 83

MR. PRESIDENT:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 472

D. Brown (Halligan)

Respectfully report as follows: That HOUSE 472 Bill No.

BE CONCURRED IN
~~XXXPASS~~

SEN. HAROLD L. DOVER, Chairman.